

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Stephen CARLEY

Application No.: Unassigned

Art Unit: Unassigned

Filed: Concurrently Herewith

Examiner: Unassigned

Title: SYSTEM AND METHOD FOR PROVIDING COMPOSITE VARIANCE
ANALYSIS FOR NETWORK OPERATION

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56 and 37 CFR §1.97**

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08A is a listing of documents known to applicants in order to comply with applicants' duty of disclosure pursuant to 37 C.F.R. §1.56.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or is considered to be material to patentability as defined in 37 C.F.R. §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* prior art reference against the claims of the present application.

The documents submitted herewith on Form PTO/SB/08A, lists the documents cited by or submitted to the Patent Office in parent application Serial No. 09/906,288, filed July 16, 2001.

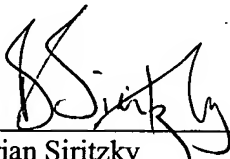
As provided in 37 C.F.R. § 1.98(d), copies of the documents are not being provided since they were previously cited by or submitted to the Patent Office in parent application Serial No. 09/906,288, filed July 16, 2001.

The instant Information Disclosure Statement is being filed within three months of the filing date under 37 CFR §1.97(b)(1), therefore, no fee is required in connection with its filing. However, the Commissioner is hereby authorized to charge any deficiency or to credit any overpayment to Deposit Account No. 08-1641.

Applicants respectfully request that the listed documents be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO-SB/08A be returned in accordance with M.P.E.P. §609.

Respectfully submitted,

12/24/2003
Date


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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Complete if Known

Attorney Docket Number	39685-0040
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Sheet	1	of	2
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Date Considered

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>		Complete if Known	
		Application Number	Unassigned
		Filing Date	Concurrently Herewith
		First Named Inventor	Stephen CARLEY
		Group Art Unit	Unassigned
		Examiner Name	Unassigned
Sheet 2 of 2	Attorney Docket Number	39685-0040	

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	A03	MORRIS et al., "Variance of aggregated Web traffic", INFOCOM 2000, Nineteenth Annual Joint Conference of the IEEE Computer and Communications Societies, Proceedings, IEEE, Volume: 1, 2000, pages 360-366 (No month).	
	A04	JUDGE, J., "A Model for the Marginal Distribution of Aggregate Per Second HTTP Request Rate", Local and Metropolitan Area Networks, 1999, page 29-36 (No month).	
	A05	KUSHIDA, T., "The Traffic Measurement and the Empirical Studies for the Internet", Global Telecommunications Conference, 1998, IEEE, pages 1142-1147 (No month).	

Examiner Signature		Date Considered	
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* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.